

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 06-00094 JMS
)	CR. NO. 05-00206-01 JMS
v.)	
)	DECLARATION OF COUNSEL
AUDWIN AIWOHI,)	
)	
Defendant.)	
_____)	

DECLARATION OF COUNSEL

I, Reginald P. Minn, hereby declare as follows:

1. I am the attorney for Defendant Aiwahi in the above-captioned case.

2. Defendant entered a guilty plea in this case on or about February 24, 2006, pursuant to a plea agreement which contains a forfeiture agreement which essentially provides that Defendant Aiwahi and his wife, Danette Aiwahi, will pay the government \$700,000.

3. It was contemplated by the parties herein that the \$700,000 payment would be satisfied to a large extent by the sale of real properties owned by Lonesome Pine Ranch, Inc., which is a closely held corporation controlled by Defendant and his wife.

4. Prior to his arrest in this case, Defendant Aiwahi was a primary source of labor for Lonesome Pine Ranch, Inc.,

and he was responsible for the development and improvement of raw land which had been purchased by Lonesome Pine Ranch, Inc.

5. Over the past several months, Danette Aiwohi has been attempting to improve and develop four parcels of real property without Defendant's assistance, and through this effort, she has paid approximately \$350,000 of the \$700,000 owed under the forfeiture agreement.

6. While Danette Aiwohi had some success in fulfilling the terms of the forfeiture agreement, her ability to perform all aspects of the development of these properties has been limited --- particularly as she is also caring for their four children.

7. Defendant Aiwohi seeks his release in order to facilitate the satisfaction of the obligations under the forfeiture agreement, which have essentially been incurred as the result of his unlawful conduct.

8. Defendant Aiwohi is scheduled to be sentenced on January 8, 2007.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED: Honolulu, Hawaii, July 19, 2006.

/s/ Reginald P. Minn
REGINALD P. MINN
Attorney for Defendant
AUDWIN AIWOHI